

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RICHARD LIEBERMAN, : CIVIL ACTION

: NO. 14-3393

Plaintiff, :

:

v. :

:

CORPORACION EXPERIENCIA :
UNICA, S.A., et al., :

:

Defendants. :

RICHARD KREIBICH, et al., : CIVIL ACTION

: NO. 14-5102

Plaintiffs, :

:

v. :

:

PLAYA DULCE VIDA, S.A., et al., :

:

Defendants. :

O R D E R

AND NOW, this **22nd** day of **March, 2018**, upon
consideration of Defendants' motions in limine (Lieberman ECF
Nos. 73, 74, 76, 85, 86; Kreibich ECF Nos. 57, 58, 60, 69, 71),
Plaintiffs' responses thereto, and after a hearing on the record
with counsel for the parties, it is hereby **ORDERED** as follows:

1. Defendants' Motions to Strike Punitive Damages
Claims (Lieberman ECF No. 73; Kreibich ECF No. 57) are **DENIED**
without prejudice.

2. Defendants' Motions Seeking Dismissal of Claims for Failure to Join Necessary Parties (Lieberman ECF No. 74; Kreibich ECF No. 58) are taken **UNDER ADVISEMENT**.

3. Defendants' Motions to Preclude Lay Testimony (Lieberman ECF No. 76; Kreibich ECF No. 60) are **GRANTED in part and DENIED in part** in the manner stated on the record.

4. Defendants' Motions to Strike Undisclosed Witnesses (Lieberman ECF No. 85; Kreibich ECF No. 69) are **DENIED**.

5. Defendants' Motions to Preclude Alter Ego Evidence (Lieberman ECF No. 86; Kreibich ECF No. 71) are **GRANTED**.¹

6. It is further **ORDERED** that that Lieberman and Kreibich will not be consolidated for trial and will be tried separately.²

7. The parties shall submit a proffer of testimony regarding each proposed witness by **April 23, 2018**.³

¹ See Memorandum Opinion. Lieberman ECF No. 36 at 30-39 (dismissing alter ego claims).

² See Lieberman ECF No. 18 (consolidating the cases for pretrial and discovery purposes only). The Lieberman case will be tried first.

³ Each proffer shall include the name of the witness; a proffer of that witness's trial testimony (approximately one paragraph in length); and any documents upon which the witness will rely for his or her testimony.

8. A final pretrial conference is **SCHEDULED** for **May 30, 2018, at 9:30 a.m.**, in Courtroom 15A, United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania.⁴

10. Revised pretrial memoranda pursuant to Local Rule of Civil Procedure 16.1(c); proposed voir dire questions, jury instructions⁵, special interrogatories, and verdict forms for a jury trial (or proposed findings of fact and conclusions of law for a non-jury trial) shall be filed by **May 21, 2018**.

AND IT IS SO ORDERED.

/s/ Eduardo C. Robreno
EDUARDO C. ROBRENO, J.

⁴ The parties shall be prepared to select a date certain for trial during the final pretrial conference.

⁵ Each proposed jury instruction should be numbered, should appear on a separate page, and should include citations to the authorities supporting the proposed instruction.